R E M A R K S

Claims 1-7 are pending in the application. Applicant amends claims 1 and 7 for

further clarification. No new matter has been added.

Claims 1-7 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S.

Patent No. 6,014,694 to Aharoni et al. Applicant amends claims 1 and 7 in a good faith effort

to further clarify the invention as distinguished from the cited reference, and respectfully

traverse the rejection.

The Examiner maintained the rejection by arguing that the rate control unit 106

determining a next packet transmission time and the packet generator 102 skipping frames

according to bit rate described in Aharoni et al. sufficiently disclose the claimed feature of

controlling the timing of compression and encoding.

Aharoni et al.—on col. 6, line 60 to col. 7, line 43 thereof—only describe that a video

and audio source file 16 comprising five different video data levels is output from a video

compression/file generator 14 and is stored, and the level of video data to be output is

determined based on an estimated network bandwidth.

In addition, Aharoni et al.—on col. 12 thereof—only describe that, in a sender 32,

depending on a measured bandwidth of a channel of a rate control unit 106, a packet

transmitter 104 skips frames (Key, P, B) in the video data received from a packet generator

102 in order to reduce bit rate.

In summary, in Aharoni et al., the stored five different video data levels are read in a

receiver 30 of a video server 18, and selectively sent by the sender 32. In the sender 32, the

rate control unit 106 measures the bandwidth of a network connection, and a frame selector

100 selects a video data level based on the measured bandwidth. The selected video data is

packetized by the packet generator 102 and is sent by the packet transmitter 104. At this

time, the packet transmitter 104 skips frames, depending on the measured bandwidth of the

channel.

As discussed above, the rate control unit 106 is only part of the internal circuits of the

sender 32 to select a video data level, and does not control the video compression/file

generator 14. Therefore, <u>Aharoni et al.</u> do not disclose the claimed feature of <u>timings for</u>

<u>starting *compression/encoding* processes</u> in the compression/encoding sections being ***shifted***

from one another.

In other words, <u>Aharoni et al.</u>, as cited and relied upon by the Examiner, fail to

disclose,

> "[a] data transmission device for generating a plurality
> of compressed/encoded data of different bit rates from a single
> video signal and simultaneously transmitting the
> compressed/encoded data onto a network, comprising:
>   a synchronizing signal detection section for detecting a
> synchronizing signal from the video signal input thereto;
>   a plurality of compressing/encoding sections for
> compressing/encoding the video signal to generate data streams
> of different bit rates, respectively, wherein the
> compressing/encoding sections generate <u>data streams having</u>
> <u>the same sequence of picture types</u>;
>   a timing control section for controlling said
> compressing/encoding sections in accordance with the detected
> synchronizing signal <u>such that timings for starting</u>
> ***compression/encoding*** <u>processes in said compressing/encoding</u>
> <u>sections are *shifted from one another in units of frame*</u>; and
>   a multiplexing section for <u>sequentially multiplexing the</u>
> <u>data streams</u> generated respectively by said
> compressing/encoding sections and <u>transmitting the</u>
> <u>multiplexed data</u> onto the network," as recited in claim 1.
> (Emphasis added)

Accordingly, Applicant respectfully submits that claim 1, together with claims 2-6

dependent therefrom, is patentable over <u>Aharoni et al.</u> Claim 7 incorporates features that

correspond to those of claim 1 cited above, and is, therefore, patentable over <u>Aharoni et al.</u>

for at least the same reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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